

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2001-093852

02/22/2011

HONORABLE HELENE ABRAMS

CLERK OF THE COURT
T. Haaser
Deputy

IN RE THE MATTER OF
PATRICK RIPLEY

PATRICK RIPLEY
UP

AND

AILS A SHREEVE

JANET R FEELEY

CONCILIATION SERVICES-SE

MINUTE ENTRY

Courtroom 204 – SEA

11:16 a.m. This is the time set for Resolution Management Conference on the *Petition to Modify Child Custody and Parenting Time* filed by Respondent on November 3, 2010. Petitioner/Father is present on her own behalf. Respondent/Mother is present and represented by above-named counsel.

A record of the proceedings is made by CD/videotape in lieu of a court reporter.

Counsel advises the Court that a temporary agreement has been reached as to parenting time.

Counsel for Mother the temporary agreement as set forth on the record.

Patrick Ripley and Ailsa Shreeve are sworn.

Patrick Ripley, having previously been sworn, now testifies.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2001-093852

02/22/2011

Discussion is held.

LET THE RECORD REFLECT that after further discussion between the Court and the parties, no agreement has been reached.

Based upon the matters presented herein,

IT IS ORDERED that the current orders shall remain in place.

IT IS FURTHER ORDERED the parties shall participate in a **Parenting Conference and Child Interview**. The parties will be advised by separate minute entry of the name and telephone number of the Parenting Conference Provider and other relevant information regarding the Parenting Conference and Child Interview. The parties shall comply with all instructions and directives issued by the Provider.

IT IS FURTHER ORDERED that immediately following this hearing each party is directed to pay the **\$300 per party** fee at the Clerk of the Court filing counter. If you cannot afford to pay the entire amount today, you will be billed for the balance.

It would assist the Court for the children (**L'Rynn Ripley DOB: May 27, 1993 and Daryeon Ripley DOB: April 2, 1997**), to be interviewed as part of this process. Toward that end, the Court is not as interested in the stated wishes of the children as it would be interested in detailed information. Therefore, the focus of the interview of each child should be an inquiry as to what each child appreciates most about each parent and the circumstances in each parent's home. It should also include each child's perception as to what could be improved upon with each parent and in each parent's home. Further, each child may be asked about the child's perception as to how each parent has handled issues in the past.

IT IS FURTHER ORDERED that neither parent shall instruct or otherwise coach the minor child as to what he should say in the interview, except to tell the truth.

WARNING

IF YOU FAIL TO APPEAR AT THE PARENTING CONFERENCE AND/OR CHILD INTERVIEW AS ORDERED, YOU MAY BE REQUIRED TO PAY A \$100 NO SHOW FEE. IF YOU CANNOT ATTEND, YOU MUST REQUEST AND BE GRANTED PERMISSION FROM THE JUDGE IN YOUR CASE TO RESCHEDULE THE CONFERENCE AT LEAST THREE FULL COURT DAYS BEFORE THE CONFERENCE/INTERVIEW. IF AN AGREEMENT IS REACHED PRIOR TO YOUR APPOINTMENT DATE, YOU MUST SUBMIT A REQUEST TO THE JUDGE TO

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2001-093852

02/22/2011

VACATE THE CONFERENCE AND WAIVE THE FEE IN ORDER TO AVOID FEE COLLECTION.

FILED: *Acknowledgment and Notice of Parenting Conference (2)*

IT IS FURTHER ORDERED affirming the **Enforcement Conference** set for **March 7, 2011 at 8:30 p.m.** with the scheduled Conference Officer and the **Enforcement Evidentiary Hearing** set for **March 7, 2011 at 9:45 a.m.** set before Commissioner Alysson Abe.

IT IS FURTHER ORDERED affirming the **Simplified Modification Hearing** set on **April 27, 2011 at 10:00 a.m.** before Commissioner Alysson Abe.

IT IS FURTHER ORDERED setting this matter for **Evidentiary Hearing** regarding the *Petition to Modify Child Custody and Parenting Time* filed by Respondent on November 3, 2010 for **July 5, 2011 at 10:00 a.m. (time allotted: 2 hours)** before the Honorable Helene Abrams at:

Maricopa County Superior Court
Southeast Judicial District
Courtroom 204
222 E. Javelina Avenue
Mesa, AZ 85210

JOINT PRETRIAL STATEMENT

IT IS FURTHER ORDERED that the parties shall file and provide this Division with a copy of a **Joint** Pretrial Statement pursuant to Rule 6.5, Local Rules of Practice – Maricopa County (Domestic Relations Cases), no later than **June 28, 2011**.

IT IS FURTHER ORDERED that both parties submit the following attachments to the Joint Pretrial Statement:

1. A current Affidavit of Financial Circumstances in accordance with Local Rule 6.4(b), accompanied by copies of federal income tax returns for the past two years along with W-2 or 1099 forms and copies of the last four pay stubs.
2. A current Parent's Worksheet for Child Support Amount pursuant to the Statewide Child Support Guidelines.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2001-093852

02/22/2011

3. If there are disputed custody, access or visitation issues, a specific proposal for custody and visitation.
4. If there are disputed issues regarding division of property, a current and detailed inventory and appraisal of property and assets of the parties, together with a summary proposal by each party as to how the property and assets should be divided. If possible, the Court prefers a one page statement of all property except personal property items valued at less than \$500.00 each. If division of the marital residence is at issue at trial, the party seeking to be awarded the marital residence shall offer as an exhibit at trial the true and accurate legal description of the property.
5. A list of debts with balances.

IT IS FURTHER ORDERED that the failure of counsel or any party to appear at the time of trial, or to timely present the Joint Pretrial Statement in proper form, including each and every attachment required, shall, in the absence of good cause shown, result in the imposition of any and all available sanctions pursuant to Rule 16(f), Arizona Rules of Civil Procedure, and Local Rule 6.6, including proceeding to hear this matter by default based upon the evidence presented by the appearing party.

EXHIBITS

IT IS FURTHER ORDERED any evidence intended to be submitted as exhibits at the time of the Trial must be brought to this Court's Clerk in Courtroom 204 **no later than June 28, 2011.** All exhibits must be hand-delivered to Courtroom 204. **All exhibits must be clearly identified, stapled separately and separated by a COLORED sheet of paper.** The parties shall coordinate their exhibits so that each party does not present duplicate exhibits of the other party. **Any exhibits not submitted at least seven (7) days prior to the trial may not be accepted and/or marked prior to trial. Absent good cause, failure to submit all exhibits by that date will result in those items being prohibited from being utilized at the trial.**

NOTE: If either party intends to offer as evidence the digital or electronic recording from a prior court proceeding, the party shall also provide to the Court a certified transcript of the recording, which shall be marked as an exhibit. The party seeking to offer the recording as evidence shall bear the cost for preparation of the transcription. If either party intends to offer documents as evidence that are in a language other than English, the Court shall be provided with an official certified translation of the documents.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2001-093852

02/22/2011

IT IS FURTHER ORDERED that the parties shall indicate in the Joint Pretrial Statement which exhibits they have agreed will be admissible at trial as well as any specific objections that will be made to any exhibit if offered at trial which is not agreed to be admitted. Reserving all objections to the time of trial will not be permitted. At the time of trial all exhibits which the parties have agreed will be admitted and all exhibits for which no specific objection is stated in the Joint Pretrial Statement shall be summarily admitted.

FINDINGS OF FACT

IT IS FURTHER ORDERED that any party filing a request for findings of fact and conclusions of law pursuant to Rule 82, Arizona Rules of Family Law Procedure, **shall submit proposed findings of fact and conclusions of law to this Division no later June 15, 2011.** Any controverting findings of fact and conclusions of law proposed by the adverse party shall then be submitted no later than ten days prior to trial.

SETTLEMENT

Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court in accordance with Rule XII(b), Uniform Rules of Practice, and Maricopa County Local Rules 2.10(b) and 3.6(c).

The Court notes that if either party fails to appear at trial, default judgment may be entered against him or her and/or the matter may proceed at that time to trial or to a default judgment hearing under Rule 55(b)(2).

IT IS ORDERED with regard to discovery and disclosure requirements:

1. Both parties shall complete all disclosure requirements required by Rules 49 and 50, *Arizona Rules of Family Law Procedure*, including an exchange of all relevant information, documents and exhibits **June 6, 2011.**

2. All depositions and discovery contemplated by Rules 49 through 65, *Arizona Rules of Family Law Procedure*, shall be completed and any motions regarding discovery shall be filed **June 6, 2011.**

3. Counsel and both parties shall personally meet, face to face, at least ten (10) days prior to trial to conduct settlement discussions, prepare a Joint Pre-trial Statement, exchange all exhibits, and discuss the resolution and narrowing of all procedural and substantive issues in this case.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2001-093852

02/22/2011

4. The parties shall promptly comply with all requests for relevant information in this case. In this regard, the parties shall sign all necessary consents and releases reasonably required to obtain any relevant documents or records from any financial institution, company, business, medical or health care provider or employer possessing any relevant information.

If a party is forced to incur attorney's fees or other costs to obtain documents or records by subpoena or other legal process after reasonable request of the other party to obtain such information in a more efficient or economical manner, the Court will consider a request for payment or reimbursement of such fees and costs at the time of trial.

11:40 a.m. Matter concludes.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter/index.asp>

PLEASE NOTE: This Court utilizes a digital audio recording system to preserve the official record of proceedings. Persons requesting copies of recorded proceedings do not have to provide blank CDs. All CDs will be provided by the Court, regardless of when the copies are made. A fee of \$20.00 will apply to all copies requested, either on the day of the hearing or for hearings recorded on an earlier date. Counsel or litigants must complete the appropriate request form which may be obtained from the Self-Service Center or from Court staff and present the completed form to the Self-Service Center. All fees must be handled through the Self-Service Center. Upon payment of the appropriate fees through the Self-Service Center, a receipt will be issued which shall then be presented to Court staff for preparation of the CD.